

## Revised Definition of Homeless

The clarified definition of who is considered homeless is addressed. Section 725 (2) and (6) of the McKinney-Vento Homeless Education Assistance Act state:

(2) The term “homeless children and youths”-

(A) Means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103 (a)(1); and

(B) includes-

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have a primary night-time residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103 (a)(2)(C);
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

(6) The term ‘unaccompanied youth’ includes a youth not in the physical custody of a parent or guardian.

Stability and adequacy of the living arrangement are critical considerations when determining homelessness.